



# CITY OF LODI

## COUNCIL COMMUNICATION

AGENDA TITLE: Authorize Public Works Director to Cast Ballot Supporting Proposed Extension of San Joaquin County Water Investigation Zone No. 2 Assessment (\$3,000)

MEETING DATE: June 7, 2000

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt the attached resolution authorizing the Public Works Director to cast ballots supporting the proposed extension of San Joaquin County Water Investigation Zone No. 2 assessment on behalf of City-owned property.

BACKGROUND INFORMATION: San Joaquin County has undertaken a property tax assessment election for the continuation of Water Investigation Zone No. 2, which includes the entire County. Under Proposition 218, City property as well as private property is assessable when it receives a benefit. The City has received ballots covering all City-owned parcels with a total assessment of just over \$3,000. The Notice and explanatory cover letter is attached.

The City has supported and participated in the efforts of the County and other water agencies to protect the groundwater basin and bring additional water into the area. Activities of the County on behalf of Zone 2 were described to the Council by John Pulver, Water Resources Coordinator, at its April 19, 2000, meeting. Continuation of this assessment is vital toward continuing those efforts. In spite of some concerns over the relative benefit factors used in the assessment, City staff supports the program and recommends that the City of Lodi vote in favor of the assessment.

FUNDING: Current funds.

Richard C. Prima, Jr.  
Public Works Director

RCP/lm

Attachments

cc: Randy Hays, City Attorney  
Fran Forkas, Water/Wastewater Superintendent

APPROVED: \_\_\_\_\_

  
H. Dixon Flynn -- City Manager

**Notice to Property Owners and Assessment Ballot  
for the Extension of the  
Water Investigation Zone No. 2  
Water Protection and Development Assessment  
San Joaquin County Flood Control & Water Conservation District**

**I. Background**

In 1990, the San Joaquin County Flood Control & Water Conservation District (the District) established the Water Investigation Zone No. 2 and the County-wide Assessment to fund the coordination, investigations and studies to meet and protect the long-term water supplies for the County. Since that time, the Water Investigation Zone No. 2 Assessment has appeared on your property tax bill each year. (It shows on your tax bill as "GRND WTR INVEST ZN2".) The original assessment was established for a 5-year period and was then re-established for another 5 years. The current assessment is ending on June 30, 2000.

Enclosed with this notice is a ballot (the yellow paper with your name and address on it). Proposition 218, which was added to the state constitution by California voters in November of 1996, requires that the County obtain approval from property owners in a balloting process to extend this Assessment. The Assessment formula has been developed based on the provisions of Proposition 218. The total amount proposed to be collected is the same as last year.

If the Assessment is approved, the proposed assessment amount described in this notice and accompanying ballot will continue to appear on your property tax bill.

**II. Notice**

This notice informs you, as a record owner of property within the County of San Joaquin, that on March 28, 2000, the Board of Supervisors adopted Resolution No. R-00-151 in which it declared its intention to extend the Water Investigation Zone No. 2 - Water Protection and Development Assessment and has scheduled a Public Hearing concerning the proposed Assessment. The Public Hearing will be held during a regular meeting of the Board of Supervisors, in the Board of Supervisors Chambers located at 222 E. Weber Avenue, Courthouse, Room 701, Stockton, California on June 20, 2000, at 1:30 p.m. or as soon thereafter as the matter may be heard.

All interested persons are invited to attend the Public Hearing and express opinions on the matter of the proposed Assessment.

Persons who wish to submit an assessment ballot should mail or personally deliver it before the close of the public input portion of the scheduled Public Hearing in accordance with the directions provided on the following page in "Summary of Assessment Ballot Procedures."

**III. Assessment Information**

1. **Name of Assessment:** Water Investigation Zone No. 2 – Water Protection and Development Assessment.
2. **The total annual Assessment for FY 2000-01:** \$830,000.
3. **Your annual assessment:** The assessment annually chargeable to your parcel for FY 2000-01 is shown on the enclosed yellow ballot.
4. **Duration of the Proposed Assessment:** The proposed Assessment will be levied annually for 15 years at the rates shown on the enclosed Assessment Information Sheet. After a Board of Supervisors Public Hearing, this amount may be increased for cost of living each year by no more than 2% as determined by the Board. (Any other increases or changes to the methodology of the Assessment must be submitted to property owners in advance for approval.)
5. **Reason for the Assessment:** to fund the District's Strategic Plan to Meet Water Needs, a comprehensive program based on goals adopted by the Board of Supervisors. The goals are intended to include all areas of concern in meeting and protecting the long-term water supplies needed for San Joaquin County. The goals deal with the protection of existing water available to the County and the protection of the quality of that water, as well as the need to restore the Eastern San Joaquin County groundwater basin and to develop a water supply to meet the needs of the southwest portion of the County.
6. **Calculation of the Assessment:** All parcels in the County receive special benefit from the District's program to meet and protect the long-term water supplies for San Joaquin County, and are assessed in proportion to the special benefit they receive. The enclosed Assessment Information Sheet summarizes a detailed Engineer's Report that was prepared for this Assessment by registered professional engineers. That Engineer's Report is on file in the office of the Clerk of the Board and the San Joaquin County Public Works Department, and may be reviewed during normal business hours.

**San Joaquin County Flood Control & Water Conservation District  
Water Investigation Zone No. 2 – Water Protection and Development Assessment  
Notice To Property Owners and Assessment Ballot – Page 2**

7. **Assessment Balloting Results:** If a majority of the assessment ballots returned support the Assessment, the Assessment will be extension, and the assessment amount listed on the enclosed ballot will be imposed. If a majority of the ballots returned oppose the Assessment, the Assessment will not be imposed and funding for the Strategic Plan to Meet Water Needs will not be provided by the Assessment. The Board of Supervisors may be required to adjust the level of services, as appropriate, to conform to the available budget. Assessment ballots are weighted proportionally by each parcel's Assessment amount relative to the Total Assessment amount for the entire Assessment. (This means \$1 = 1 vote.)

The proposed Assessment described in this Notice and accompanying ballot, if approved, will appear on your property tax bill.

**IV. Questions Regarding These Proceedings**

If you have any questions about the proposed Assessment or this process, please call the Assessment Information Line at (800) 980-0908 or (209) 472-0147, Monday through Friday, 8:00 a.m. – 5:00 p.m. Questions may also be e-mailed to [sjc4watr@mindspring.com](mailto:sjc4watr@mindspring.com).

**SUMMARY OF ASSESSMENT BALLOT PROCEDURES**

If you are the owner of the property described on the enclosed assessment ballot, you may submit the enclosed assessment ballot to the District to support or oppose the proposed Assessment. Please follow the instructions below to complete and return your assessment ballot.

1. Register your vote on the enclosed assessment ballot in favor or against the proposed Assessment by placing an "X" in the corresponding box.
2. Mark, sign and date your assessment ballot in ink. (Assessment ballots received without a signature will not be counted.) Do not use pencil.
3. Mail or personally deliver your assessment ballot to the San Joaquin County Department of Public Works, PO Box 1810, 1810 East Hazelton Ave., Stockton, CA 95201-1810. (A postage prepaid return envelope has been provided for your use.) The District **must** receive mailed assessment ballots by June 19, 2000. **Postmarks will not be accepted.**
4. Assessment ballots must be received by the District prior to the close of the public input portion of the Public Hearing concerning the proposed Assessment which will begin on Tuesday, June 20, 2000, at 1:30 p.m. or soon thereafter, at the County Board Chambers. Any assessment ballots received after this time cannot legally be counted. (If assessment ballots are hand delivered after noon of June 20, please deliver them to the Board Chambers at 222 E. Weber Avenue, Courthouse, Room 701, Stockton.)
5. Following the close of the Public Hearing, the Water Resources Coordinator or designee will finish tabulating all the assessment ballots received prior to the close of the Public Hearing. The assessment ballots will be tabulated electronically. The assessment ballots are weighted according to the proportional financial obligation the affected property has to the total Assessment amount. (Simplified, this means one vote for each one dollar of assessment.)
6. The Assessment will be confirmed unless a majority protest exists. A majority protest exists if, upon the close of the Public Hearing, the monetary value of the assessment ballots submitted in opposition to the Assessment exceeds the monetary value of the assessment ballots submitted in favor of the Assessment.
7. If a majority protest exists based upon the value of the assessment ballots received by the District prior to the close of the Public Hearing, the Assessment will not be imposed.
8. Your assessment ballot is not confidential and may be subject to public disclosure.

Complete Assessment Balloting Procedures are on file at the San Joaquin County Public Works Information Counter and in the Office of the Clerk of the Board of Supervisors.

*The information in this notice and the accompanying materials were compiled and are distributed at public expense by the San Joaquin County Flood Control & Water Conservation District in compliance with Proposition 218. This information is presented in the public interest. It is not intended to influence or attempt to influence the actions of the voters to vote "yes" or "no" on the enclosed assessment ballot.*



SAN JOAQUIN COUNTY  
**FLOOD CONTROL & WATER  
CONSERVATION DISTRICT**

P. O. BOX 1810

1810 EAST HAZELTON AVENUE  
STOCKTON, CALIFORNIA 95201  
TELEPHONE (209) 468-3000  
FAX NO. (209) 468-2999

**MANUEL LOPEZ**  
DIRECTOR OF PUBLIC WORKS  
FLOOD CONTROL ENGINEER

May 5, 2000

Dear Property Owner:

For the past 10 years, an assessment has been collected on your property tax bill to meet and protect the long-term water supplies for the County. On June 30, 2000, this assessment will end. You are being asked to vote, on the enclosed Assessment Ballot, on whether or not this assessment should be extended.

The Assessment Ballot, which is the yellow piece of paper with your name and address on it, shows the assessment amount proposed for your property. The basis for the assessment is the relative benefit to your property for protecting and enhancing a reliable water supply.

Please review the enclosed information, which will give you complete details of the proposed assessment, how the assessment rate was determined, and other information. In addition, information meetings about the proposed assessment will be held in various locations throughout the County. These will be held at the dates, times, and locations shown below. You are invited to attend these meetings to have your questions answered.

**Information Meeting Locations**

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
May 17, 2000	7:00 p.m.	Hutchins Street Square – Cottage Pisano Room, 125 S. Hutchins, Lodi, CA
May 24, 2000	7:00 p.m.	Veterans of Foreign War – Post 1537, 430 West Grant Line Road, Tracy, CA
May 25, 2000	7:00 p.m.	Stockton Civic Auditorium, 525 N. Center Street, Stockton, CA
May 31, 2000	7:00 p.m.	Manteca City Hall, 1001 West Center Street, Manteca, CA
June 7, 2000	7:00 p.m.	Linden Lions Club, 5041 Market Street, Linden, CA

***The most important document in this material is the Assessment Ballot. It must be marked and returned by mail or in person no later than Tuesday, June 20, 2000 to be counted.*** (Please see the enclosed documentation for where to return your Assessment Ballot.)

On June 20 at 1:30 p.m., the County Board of Supervisors will hold a public hearing to receive public comment and finish tabulating the Assessment Ballots received. The assessment amounts cast as “yes” and “no” votes will determine the fate of this Assessment. Assessment Ballots that are not returned or are returned late, cannot be counted, **so please return your ballot!**

If you have questions regarding this information, please call (800) 980-0908 or (209) 472-0147, Monday through Friday, between 8:00 a.m. and 5:00 p.m. You may also e-mail your questions to [sjc4watr@mindspring.com](mailto:sjc4watr@mindspring.com).

Thank you for your consideration of this issue.

(Please turn over for more information)

## Water Investigation Zone No. 2 – Water Protection and Development Assessment Assessment Information Sheet

All assessable parcels in the County benefit in two ways from the District's program for meeting and protecting the long-term water supplies needed for San Joaquin County: a parcel-based benefit and an area-based benefit. These benefits are weighted equally with respect to each other.

- **Parcel Benefit** – Each assessable parcel, no matter what the size or what the use, benefits from the potential for having water available to it when and if it needs it. A property's right to water is provided for in the State Constitution and is reiterated in the State Water Code, but it is not guaranteed. One of the main objectives of the District's program is to deal with issues to protect and preserve the water rights of properties in the County.

There are 165,273 assessable parcels within the County of San Joaquin. The parcel benefit assessment rate is calculated by taking 50% of the proposed budget and dividing it by the total number of assessable parcels:

$$\text{Parcel Benefit Assessment Rate} = (\$830,000 \times 50\%) \div 165,273 \text{ parcels} = \mathbf{\$2.51 \text{ per parcel}}$$

- **Area Benefit** – All properties receive benefit based on the potential they receive from having water available. This potential is estimated by the size of the property by virtue of the fact that a 10-acre parcel has more potential for water use than a 1-acre parcel. One of the main objectives of the District's program is to deal with issues to meet and protect the current and future water supply needs of the County.

The amount of Area Benefit received by each parcel is based on the size and use associated with each parcel. Three benefit factors are used to adjust the acreage of a parcel to reflect the benefit received based on the current use on the parcel.

**Urban Use Factor.** The policy of the State of California weighs heavily toward urban uses with respect to water issues. Because of the many issues relating to urban uses and the heavy preference given to these uses regarding water supply and quality, each assessable parcel with an urban use receives an Urban Use Factor of 10. (Urban uses are residential, commercial, industrial, government, recreational, military and institutional uses.)

**Municipal Preference Factor.** The policy of the State of California, through the State Water Code, gives preference to municipalities. Therefore, each assessable parcel located within a city receives a Municipal Preference Factor of 1.

**Local Program Priority Factor.** The District's local program has six major goals with a wide range of activities for each goal. (There are 32 activities supporting the six goals.) Half the activities benefit all water users in the County and half benefit only urban water users. Therefore, each assessable parcel that uses water (all parcels except vacant) receives a Local Program Priority Factor of 0.5, and each assessable parcel with an urban use receives an additional 0.5 factor for a total of 1.

These three factors are added together to get the Total Area Benefit Factor. (See table at the right.)

$$\text{Total Area Benefit Factor} \times \text{Parcel Acres} = \text{Adjusted Acres}$$

There are 1,611,956 adjusted acres within the County of San Joaquin. The area benefit assessment rate is calculated by taking 50% of the proposed budget and dividing it by the total adjusted area:

$$\text{Area Benefit Assessment Rate} = (\$830,000 \times 50\%) \div 1,611,956 \text{ adjusted acres} = \mathbf{\$0.26 \text{ per adjusted acre}}$$

The parcel area and the land use for your parcel are shown on the enclosed ballot. If this information is not correct, please let us know.

Sample Calculations:		Parcel	+	Parcel	x	Benefit	x	Area	=	Total
Parcel Description	Rate	Acres			Factor			Rate		Asmt
City Urban 1/2 acre lot:	\$2.51	0.5	x	12.0	x	\$0.26	)		=	\$4.07
Unincorporated Urban 1/2 acre lot:	\$2.51	0.5	x	11.0	x	\$0.26	)		=	\$3.94
City Vacant 1 acre lot:	\$2.51	1	x	1.0	x	\$0.26	)		=	\$2.77
Unincorporated Vacant 1 acre lot:	\$2.51	1	x	0.0	x	\$0.26	)		=	\$2.51
City Ag 10 acre lot:	\$2.51	10	x	1.5	x	\$0.26	)		=	\$6.41
Unincorporated Ag 10 acre lot:	\$2.51	10	x	0.5	x	\$0.26	)		=	\$3.81
Unincorporated Vacant Dry Graze 640 acre lot:	\$2.51	640	x	0.0	x	\$0.26	)		=	\$2.51

Note: The parcel area for a condominium includes a proportional share of the common area associated with the condominium.

The total assessment for each parcel is obtained by adding the Parcel Benefit Assessment to the Area Benefit Assessment.

Sample Calculations are shown in the table to the left.

RESOLUTION NO. 2000-88

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING THE  
PUBLIC WORKS DIRECTOR TO CAST BALLOTS SUPPORTING  
THE PROPOSED EXTENSION OF SAN JOAQUIN COUNTY WATER  
INVESTIGATION ZONE NO. 2 ASSESSMENT

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WHEREAS, San Joaquin County has undertaken a property tax assessment election for the continuation of Water Investigation Zone No. 2, which includes all of San Joaquin County; and

WHEREAS, under Proposition 218, City property as well as private property is assessable when it receives a benefit; and

WHEREAS, the City has received ballots covering all City-owned parcels with a total assessment of just over \$3,000.00; and

WHEREAS, the City has supported and participated in the efforts of the County and other water agencies to protect the groundwater basin and bring additional water into the area; and

WHEREAS, continuation of this assessment is vital toward continuing those efforts; and

WHEREAS, staff supports the program and recommends that the City of Lodi vote in favor of the assessment.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lodi does hereby authorize the Public Works Director to cast ballots supporting the proposed extension of the San Joaquin County Water Investigation Zone No. 2 assessment on behalf of City-owned property.

Dated: June 7, 2000

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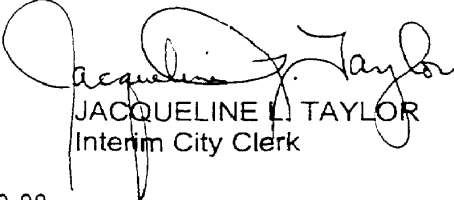
I hereby certify that Resolution No. 2000-88 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 7, 2000, by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Nakanishi, Pennino  
and Mann (Mayor)

NOES: COUNCIL MEMBERS – Land

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

  
JACQUELINE L. TAYLOR  
Interim City Clerk

2000-88